



DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION

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As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

SPILL-REDUCTION CAP FOR FLUID CONTAINER

specification of which

☐ is attached hereto.

(check one if applicable)

☒ was filed on May 15, 1995 as Application Serial No. 08/441,322.

☐ and was amended on _____.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

None _____
(Number) (Country) (Day/Month/Year Filed)

☐ Yes ☐ No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
A56953-2/JC	May 8, 1995	Pending
08/016,577	February 10, 1993	Pending
07/772,949	October 8, 1991	Abandoned

19 I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Harold C. Hohbach, Reg. No. 17,757; Aldo J. Test, Reg. No. 18,048; Thomas O. Herbert, Reg. No. 18,612; Donald N. MacIntosh, Reg. No. 20,316; Jerry G. Wright, Reg. No. 20,165; Edward S. Wright, Reg. No. 24,903; David J. Brezner, Reg. No. 24,774; Richard E. Backus, Reg. No. 22,701; James A. Sheridan, Reg. No. 25,435; Robert B. Chickering, Reg. No. 24,286; Gary S. Williams, Reg. No. 31,066; Richard F. Trecartin, Reg. No. 31,801; C. Michael Zimmerman, Reg. No. 20,451; Walter H. Dreger, Reg. No. 24,190; Steven F. Caserza, Reg. No. 29,780; Julian Caplan, Reg. No. 14,785; Janet E. Muller, Reg. No. 35,294; provided that if any one of said attorneys ceases being affiliated with the law firm of Flehr, Hohbach, Test, Albritton & Herbert as partner, employee or of counsel, such attorney's appointment as attorney and all powers derived therefrom shall terminate on the date such attorney ceases being so affiliated.

Direct all telephone calls to Julian Caplan at (415) 494-8700.

Address all correspondence to:

Julian Caplan
FLEHR, HOHBACH, TEST,
ALBRITTON & HERBERT
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San Francisco, California 94111

File No. A-61182/JC

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1-0 Full name of first joint inventor:

Inventor's signature:

Date:

Residence:

Citizenship:

Post Office Address:

Brian M. Adams

Brian M. Adams

JUNE 23, 1995

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United States

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2-0 Full name of second joint inventor:

Inventor's signature:

Date:

Residence:

Citizenship:

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Full name of third joint
inventor:

Inventor's signature:

Date:

Residence:

Citizenship:

Post Office Address:

Daniel Luch

Daniel Luch

6/20/95

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POWER OF ATTORNEY BY ASSIGNEE

(Not Accompanying Application)

To the Assistant Commissioner For Patents:

The undersigned assignee of the entire interest in application for letters patent entitled: SPILL-REDUCTION CAP FOR FLUID CONTAINER and having the named inventors: Brian M. Adams; Hoa Pham and Daniel Luch, Serial No. 08/441,322, filed on May 15, 1995, hereby appoints the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith; said appointment to be to the exclusion of the inventors and their attorneys in accordance with the provisions of 37 C.F.R. 1.32: Harold C. Hohbach, Reg. No. 17,757; Aldo J. Test, Reg. No. 18,048; Thomas O. Herbert, Reg. No. 18,612; Donald N. MacIntosh, Reg. No. 20,316; Jerry G. Wright, Reg. No. 20,165; Edward S. Wright, Reg. No. 24,903; David J. Brezner, Reg. No. 24,774; Richard E. Backus, Reg. No. 22,701; James A. Sheridan, Reg. No. 25,435; Robert B. Chickering, Reg. No. 24,286; Gary S. Williams, Reg. No. 31,066; Richard F. Trecartin, Reg. No. 31,801; C. Michael Zimmerman, Reg. No. 20,451; Walter H. Dreger, Reg. No. 24,190; Steven F. Caserza, Reg. No. 29,780; Julian Caplan, Reg. No. 14,785; Janet Muller, Reg. No. 35,294; R. Michael Ananian, Reg. No. 35,050; provided that if any one of said attorneys ceases being affiliated with the law firm of Flehr, Hohbach, Test, Albritton & Herbert as partner, employee or of counsel, such attorney's appointment as attorney and all powers derived therefrom shall terminate on the date such attorney ceases being so affiliated.

In accordance with 37 CFR 3.73 the assignee hereby certifies that the evidentiary documents with respect to its ownership have been reviewed and that, to the best of assignee's knowledge and belief, title is in the assignee seeking to take this action.

Direct all telephone calls to Julian Caplan at (415) 494-8700.

Address all correspondence to:

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Assignee: PORTOLA PACKAGING, INC.

By: Daniel Luch

Signature:



Title: Vice President Research & Development

Address: 890 Faulstich Court

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Date:

6/20/95

File No. A-61181/JC